

COMMENTARY: Alaska transboundary fisheries deserve strongest protections

By: [Brian Lynch](#)

Guest commentary

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A catastrophic failure at the Mt. Polley mine in central British Columbia on Aug. 4, 2014, resulted in one of the worst mining disasters in Canadian history. The breach dumped over 6 billion gallons of toxic water and sludge into a tributary of the Fraser River, threatening subsistence and other fishing opportunities that the economies of nearby communities depend upon.

That spill was all over the news for weeks but what happened more quietly was when B.C.'s Chief Inspector of Mines blamed the disaster on poor mining practices but made no recommendations that any penalties or even claims of wrongdoing or non-compliance should be levied against the mine owner, Imperial Metals, according to an Investigation Report released Nov. 30, 2015.

It defies common sense that B.C. lets mining companies like Imperial Metals off the hook in the face of major disasters. What's more, it leaves Alaskans downstream anxiously asking ourselves what is next and when will this impact us.

In Alaska and the North Pacific, the Alaska Department of Fish and Game and National Marine Fishing Service take commercial fishing regulations and enforcement very seriously.

In Alaska, most fisheries are monitored on a regular, almost daily basis. If violations are observed, citations are issued to the skipper, who can be slapped with a fine, or worse. Over the years we have seen violations result in the loss of fishing privileges, catch and vessel confiscation, fines of hundreds of thousands of dollars and even jail time.

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Although commercial fishing violations can be extremely serious, they never come close to causing the devastating habitat destruction and pollution that result from a mining disaster, or even seemingly smaller mining impacts that build slowly over time and are not regulated.

Given this, we can't help but demand B.C. provide the same level of regulation, oversight, and penalties for their mining industry as we do for the commercial fishing industry in Alaska since the Transboundary Rivers (Taku, Stikine and Unuk) that our billion-dollar fishing industry depends upon, begin within their borders.

As with any resource extraction industry, if you can't do it right, you shouldn't do it at all. However, they know the impacts are miles downstream and across an international border. They are shielded from the risks and damages — at least for now.

Southeast Alaskans find no comfort in hollow pronouncements of B.C. politicians about their formidable mine safety standards when the reality is quite the opposite. Mine safety standards need to protect our water and prevent large-scale disasters like Mount Polley, plain and simple. As B.C.'s sole downstream neighbor, Alaska must not settle for anything less.

Although this seems simple, the State of Alaska has appeared trusting of its working relationship with B.C. by signing onto a Memorandum of Understanding and proposing a Statement of Cooperation that provide no enforceable protections or binding recourse for clean up or financial compensation if and when something goes wrong. Knowing that our fisheries are too important to risk, I find this to be woefully inadequate.

Admittedly, the State of Alaska does not have the authority to enter into a binding agreement with British Columbia as the international border and the Boundary Waters Treaty makes this an issue between U.S. and Canadian federal governments.

That is why the majority of Southeast Alaska communities, Tribal and commercial fishing organizations, and thousands of Southeast Alaska residents are pursuing the U.S. Department of State and International Joint Commission involvement on this issue, and the clock is ticking.

Alaskans must continue to demand the highest level of input and a seat at the table with B.C. to ensure we have enforceable protections against Canadian mines impacting our fisheries, jobs and way of life in Southeast.

I call on the State of Alaska and congressional delegation to represent Alaskans and move forward to fully protect the priceless resources of our transboundary rivers of Southeast Alaska.

Brian Lynch lives in Petersburg and is a retired commercial fisheries management biologist with 30 years experience with Alaska Department of Fish and Game in southeast Alaska.